

Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611



Regular Board Meeting Minutes

Thursday, October 20, 2011

10:00 AM

Board Room

Board of Commissioners

Commissioner Michael A. Alvarez, Commissioner Frank Avila, Commissioner Patricia Horton, Vice- President Barbara J. McGowan, Commissioner Kathleen Therese Meany, Chairman of Finance Cynthia M. Santos, Commissioner Debra Shore, Commissioner Mariyana T. Spyropoulos, President Terrence J. O'Brien

THE FOLLOWING PROCEDURES WILL GOVERN THE MEETING PROCESS:

- 1. Board Members who vote "Nay, Present, or Abstain" or have a question on any item may request the item be removed from the Consent Agenda.**
- 2. Citizens in the audience who address the Board on any item may request the item be removed from the Consent Agenda.**
- 3. Items removed from the Consent Agenda are considered separately.**
- 4. One roll call vote is taken to cover all Consent Agenda Items.**

Call Meeting to Order

President Terrence J. O'Brien presiding, called the meeting to order at 10:00 a.m.

Roll Call

Present: 9 - Michael A. Alvarez; Frank Avila; Patricia Horton; Barbara J. McGowan; Kathleen Therese Meany; Cynthia M. Santos; Debra Shore; Mariyana T. Spyropoulos; and Terrence J. O'Brien

Approval of Previous Board Meeting Minutes

A motion was made by Mariyana T. Spyropoulos, seconded by Debra Shore, that the minutes from the last meeting be approved without having to read them into the record. The motion carried by acclamation. Chorus of ayes - No nays

Recess and Reconvene as Committee of the Whole

A motion was made by Debra Shore, seconded by Patricia Horton, to recess and reconvene as a committee of the whole. The motion carried by acclamation. Chorus of Ayes - No Nays

Recess and Reconvene as Board of Commissioners

At 1:20 p.m. President O'Brien reconvened the regular board meeting to order

Finance Committee**Report**

- 1 [11-1283](#) Report on investments purchased during August 2011

 Attachments: [Inv Purch 2011-08 att.pdf](#)

 Published and Filed
- 2 [11-1285](#) Report on investments purchased during September 2011

 Attachments: [Inv Purch 2011-09 att.pdf](#)

 Published and Filed
- 3 [11-1286](#) Report on the investment interest income during August 2011

 Attachments: [Inv Int Inc 2011-08 att.pdf](#)

 Published and Filed

- 4 [11-1287](#) Report on the investment interest income during September 2011
- Attachments: [Inv Int Inc 2011-09 att.pdf](#)
- Published and Filed
- 5 [11-1288](#) Report on investment inventory statistics at September 30, 2011
- Attachments: [Inv Stat 2011 Q3 Inv.pdf](#)
 [Inv Stat 2011 Q3 Fin Mkt.pdf](#)
- Published and Filed
- 6 [11-1290](#) Report on the sale of \$400,000,000 General Obligation Capital Improvement Bonds of July, 2011
- Attachments: [Report Bond Sale 2011-10-20 att.pdf](#)
 [JPM BOC 2011-10 FINAL.pdf](#)
 [PFM BOC 2011-10 FINAL.pdf](#)
- Published and Filed

Procurement Committee

Report

- 7 [11-1263](#) Report on rejection of bids for Contract 11-433-11, Furnish and Deliver Live Scan Fingerprinting System at the Stickney Water Reclamation Plant, estimated cost \$25,000.00
- Published and Filed
- 8 [11-1265](#) Report of bid opening of Tuesday, October 4, 2011
- Published and Filed
- 9 [11-1267](#) Report of bid opening of Tuesday, October 11, 2011
- Published and Filed
- 10 [11-1303](#) Report on advertisement of Request for Proposal 12-RFP-04 Human Resources Information System including Payroll and Time Management, estimated cost \$800,000.00, Account 101-27000-601170
- Deleted by the Executive Director

Authorization

- 11 [11-1260](#) Authorization for payment to DuPage River/Salt Creek Workgroup (DRSCW) for 2011/2012 membership dues in an amount not to exceed \$61,005.00, Account 101-15000-612280.

Approved

- 12 [11-1278](#) Authorization to exercise an option to extend agreement for one year period for Contract 10-RFP-01 On-Site Physical Therapy with Accelerated Rehabilitation Centers, Ltd. Account 901-30000-601090, Purchase Order 3065539

Deferred by Barbara J. McGowan

Authority to Advertise

- 13 [11-1258](#) Authority to advertise Contract 12-987-11 Railroad Track Maintenance in the Stickney Service Area, estimated cost \$390,000.00, Account 101-69000-612670, Requisition 1329186

Approved

- 14 [11-1261](#) Authority to advertise Contract 12-651-11 Rehabilitation of the North Area Reservoirs, estimated cost \$500,000.00, Account 501-50000-612600, Requisition 1322948

Deleted by the Executive Director

- 15 [11-1275](#) Authority to advertise Contract 11-468-11 Furnish and Deliver a One (1) -Year Repair Service, Supplies, and Maintenance Agreement for 53 multi-functional photocopier devices at Various District Locations, estimated cost \$42,000.00, Account 101-27000-612810, Requisition 1331676

Approved

- 16 [11-1276](#) Authority to advertise Contract 12-695-11, Services of Tractor Mounted Paddle Aerators with Operators at LASMA and CALSMA, estimated cost \$1,320,000.00, Account 101-66000-612520, Requisitions 1327788 and 1329585

Approved

- 17 [11-1277](#) Authority to advertise Contract 12-696-11, Services of Tractor Mounted Paddle Aerators and Rotavators with Operators at LASMA and CALSMA, estimated cost \$2,941,000.00, Account 101-66000-612520, Requisitions 1327789 and 1329586

Approved

- 18 [11-1280](#) Authority to advertise Contract 12-021-11 Furnish and Deliver Unleaded Gasoline to Various Locations for a One (1) Year Period, estimated cost \$365,000.00, Accounts 101-20000, 66000-623820

Approved

- 19 [11-1281](#) Authority to advertise Contract 12-022-11 Furnish and Deliver Diesel Fuel to Various Locations for a One (1) Year Period, estimated cost \$470,000.00, Accounts 101-16000, 66000, 67000, 68000, 69000-623820

Approved

Issue Purchase Order

- 20 [11-1272](#) Issue purchase orders for Contract 11-683-11, Furnish and Deliver Crushed Stone, Sand and Gravel to Various Locations, Groups A through H, to Heritage Logistics, LLC, in an amount not to exceed \$290,400.00, Accounts 101-66000, 67000, 68000, 69000-623130, Requisitions 1313689, 1312482, 1317000, 1315240, 1312970, 1318234, 1318617, and 1318907

Approved

- 21 [11-1273](#) Issue purchase order for Contract 11-701-11, Furnish and Deliver a Full Size Commercial Cargo Van to the North Side Water Reclamation Plant, to Magnificent Motorcars, Inc., in an amount not to exceed \$45,222.00, Account 101-67000-634860, Requisition 1318235

Approved

- 22 [11-1292](#) Issue purchase order and enter into an agreement for Contract 11-RFP-13, Arc Flash Hazard Study, with Burns and McDonnell Engineering Company, Inc., in an amount not to exceed \$69,654.00, Account 101-66000-601170, Requisition 1312027

Approved

Award Contract

- 23 [11-1262](#) Authority to award Contract 11-032-11, Furnish and Deliver Coveralls, Rainwear and Boots to Various Locations, for a One (1) Year Period, Group A to H.P. Products Corporation in an amount not to exceed \$32,986.92, Group B to Allied Glove Corporation in an amount not to exceed \$8,421.60, and Group C to Safety Supply Illinois, LLC in an amount not to exceed \$28,038.00, Account 101-20000-623700

Approved

- 24 [11-1266](#) Authority to award Contract 11-655-11, Manhole Repairs at Various Service Areas, to Pan-Oceanic Engineering Company, Inc., in an amount not to exceed \$455,000.00, Accounts 101-67000, 68000, 69000-612600, Requisitions 1319783, 1320690, and 1320060

Attachments: [APP D 11-655-11.pdf](#)

Approved

- 25 [11-1269](#) Authority to award Contract 11-036-11 Furnish and Deliver Salt and Calcium Chloride to Various Locations for a One (1) Year Period, to S-Four Enterprises, D/B/A Complete Salt Services, in an amount not to exceed \$45,510.00, Account 101-20000-623130
- Approved**
- 26 [11-1270](#) Authority to award Contract 11-026-13 Furnish and Deliver PVC Pipe, Valves and Fittings to Various Locations for a One (1) Year Period, to Bushnell, Incorporated, in an amount not to exceed \$49,285.80, Account 101-20000-623090
- Approved**
- 27 [11-1271](#) Authority to award Contract 11-009-11, Furnish and Deliver Cloths, Paper Towels and Toilet Tissue to Various Locations for a One (1) Year Period, Group A, to Staples Advantage, in an amount not to exceed \$2,275.00, and Groups B and C, to Chemcraft Industries, Inc., for a total amount not to exceed \$82,655.00, Account 101-20000-623660
- Approved**
- 28 [11-1274](#) Authority to award Contract 06-843-3E, Replacement of Electrical Equipment at Webster IAS and O'Hare Reservoir, NSA, to Divane Bros. Electric Company, in an amount not to exceed \$556,000.00, Accounts 401-50000-645600, 401-50000-645700, and 401-50000-645720, Requisition 1326601
- Attachments:** [APP D 06-843-3E.pdf](#)
- Approved**

Increase Purchase Order/Change Order

- 29 [11-1279](#) Authority to increase purchase order and amend the agreement with Smithamundsen LLC, for legal services in the matter of Gaweda, et al. v. MWRDGC, Case No. 10 CH 52264, in an amount of \$22,500.00, from an amount of \$55,000.00, to an amount not to exceed \$77,500.00, Account 101-11000-601170, Purchase Order 3066424 (*Deferred from the September 15, 2011 Board Meeting, Revised and Resubmitted*) (*Deferred from the October 6, 2011 Board Meeting*)
- Attachments:** [Change Order P O 3066424.pdf](#)
- Approved**

- 30 [11-1282](#) Authority to increase purchase order and amend the agreement for Contract 05-RFP-19 Provide Fleet Vehicle Management Services, with LeasePlan USA, in an amount of \$45,000.00, from an amount of \$2,175,160.00 to an amount not to exceed \$2,220,160.00 Account 101-15000-612860, Purchase order 3037203
- Attachments:** [Increase PO 3037203 \(05-RFP-19, Fleet Maint.\) Chang Order Log Attachme](#)

Approved

- 31 [11-1284](#) Authority to increase purchase order with Baker Tilly Virchow Krause, LLP, for 09-RFP-19, for Professional Auditing Services for the fiscal year ending December 31, 2011, in an amount of \$236,500.00, from an amount of \$223,200.00, to an amount not to exceed \$459,700.00, Account 101-40000-601170 and P802-11000-798200, Purchase Order 3064315

Approved

Budget & Employment Committee

Authorization

- 32 [11-1294](#) Authority to transfer 2011 departmental appropriations in the amount of \$5,300.00 in the Corporate Fund
- Attachments:** [10.20.11 Board Transfer BF5.pdf](#)

Approved

Judiciary Committee

Authorization

- 33 [11-1311](#) Authority to increase relocation expenses in the eminent domain lawsuit entitled The Metropolitan Water Reclamation District of Greater Chicago v. Antoni Gurba, et al., Case No. 11 L 50389, in the Circuit Court of Cook County to acquire the fee simple property comprising 1.18+/- acres for the Heritage Park Flood Control Facility, Contract 09-365-5F located at 172 South Wolf Road in Wheeling, Illinois, in an amount of \$25,000.00, from an amount of \$25,000.00 to an amount not to exceed \$50,000.00, Account 501-50000-656010 (As Revised)
- Attachments:** [maps](#)

Approved

Labor & Industrial Relations Committee

Authorization

- 34 [11-1257](#) Authority to extend until November 3, 2011, the terms of the collective bargaining agreements between the Metropolitan Water Reclamation District of Greater Chicago and 1) SEIU Local 1, Firemen and Oilers Division; 2) the Building Trades Coalition; 3) the Teamsters Local Union 700; 4) the International Brotherhood of Electrical Workers, Local Union No. 9 (Electrical Instrumentation and Testing); 5) the International Brotherhood of Electrical Workers, Local Union No. 9 (Electrical Operations); and 6) the International Union of Operating Engineers, Local Union No. 399.

Approved

Maintenance & Operations Committee**Reports**

- 35 [11-1256](#) Report on change orders authorized and approved by the Director of Maintenance and Operations during the month of September, 2011.

Attachments: [September - 2011.pdf](#)

Published and Filed

Real Estate Development Committee**Authorization**

- 36 [11-1304](#) Consent to an assignment of sublease from Seeler Industries to Acme Refining Company d/b/a Acme Refining Scrap Iron & Metal Company of approximately 23.5 acres of the Sheffield Steel leasehold located along the west bank of the Main Channel and east of Industry Avenue in Crest Hill, Will County, Illinois; Main Channel Parcel 12.01. Consideration shall be a document preparation fee of \$2,500.00

Attachments: [10-20-11_Seeler Industries.pdf](#)

Approved

- 37 [11-1305](#) Authority to issue to the Village of McCook: (1) a 39-year lease on approximately 1.26 acres of District land located south of Pershing Road and west of Central Avenue in Stickney, and known as Main Channel Parcel 38.03, for operation of a pumping station and underground reservoir; and (2) a 39-year non-exclusive 15 foot x 4,785 foot easement to continue to maintain a 36-inch water main under and across District land located south of Pershing Road in Stickney, commencing at Parcel 38.03, thence westerly through Main Channel Parcel 38.06 to Ridgeland Avenue. Consideration shall be an initial annual fee of \$33,600.00 for the lease and an initial annual fee of \$18,662.00 for the easement.

Attachments: [10-20-11_Village of McCook.pdf](#)

Approved

- 38 [11-1306](#) Authority to issue a 49-day permit to the Worth Lions Club for use of approximately 1-acre of District real estate located within Cal-Sag Channel Parcel 9.03, east of Harlem Avenue and south of 116th Street in Worth, Illinois, and leased to the Village of Worth, for its annual Christmas tree sale and fundraising event from November 12, 2011, through December 31, 2011. Consideration shall be a nominal fee of \$10.00

Attachments: [10-20-11_Worth Lions Club.pdf](#)

Approved

- 39 [11-1307](#) Authority to accept the sole bid of \$122,000.00 from Canal Barge Company, Inc. to purchase 2.05 acres of District real estate located at 23213 South Youngs Road in Channahon, Will County, Illinois; southern 1/3 of Main Channel Parcel 1.01

Attachments: [10-20-11_Canal Barge Company.pdf](#)

Approved

- 40 [11-1308](#) Authority to issue a 60-day permit to the United States Army Corps of Engineers to conduct two soil boring investigations at the Silver Creek Reservoir located south of O'Hare International Airport in Franklin Park, Illinois. Consideration shall be \$10.00

Attachments: [10-20-11_USACOE.pdf](#)

Approved

- 41 [11-1309](#) Authority to accept the sole bid of \$55,000.00 and enter into a lease with Corn Products International, Inc. for a 10-year term on approximately 14.02 acres of improved real estate at 6400 South Archer Avenue in Bedford Park, Illinois; Main Channel Parcel 33.01

Attachments: [10-20-11_Corn Products International.pdf](#)

Approved

- 42 [11-1310](#) Authority to accept sole initial annual rental bid of \$145,252.00 from and enter into a lease with Ozinga Ready Mix Concrete, Inc. for a 39-year term on approximately 10.95 acres of District real estate at 15700 Des Plaines River Road in Lemont, Illinois; Main Channel Parcel 23.08

Attachments: [10-20-11 Ozinga Ready Mix Concrete, Inc.pdf](#)

Approved

Miscellaneous and New Business

Memorial Resolution

- 43 [11-1252](#) MEMORIAL RESOLUTION sponsored by the Board of Commissioners extending sympathy and condolences to the family of Commissioner Harry "Bus" Yourell (*Deferred from October 6, 2011 Board Meeting*)

A motion was made by Cynthia M. Santos, seconded by Mariyana T. Spyropoulos, that this Memorial Resolution be Adopted. The motion carried by the following roll call vote:

Aye: 9 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

Additional Agenda Items

- 44 [11-1295](#) Authority to increase Contract 04-201-4F Tollway Dam, Grout Curtain and Quarry Plugs, Thornton Composite Reservoir, Calumet Service Area, to F.H. Paschen, S.N. Nielsen and Associates LLC, and Cabo Construction Corporation, Joint Venture, in an amount of \$1,492,500.00, from an amount of \$69,523,217.76, to an amount not to exceed \$71,015,717.76, Account 401-50000-645620, Purchase Order 5001105

Attachments: [CO 04-201-4F.pdf](#)

Approved

- 45 [11-1296](#) Authority to increase Contract 07-162-2S Westdale Gardens Pumping Station & Force Main, Stickney Service Area, Northwest 8A Ext. A to Northwest General Contractors, Inc., in an amount of \$24,322.35, from an amount of \$1,934,419.12, to an amount not to exceed \$1,958,741.47, Account 401-50000-645600, Purchase Order 5001138

Attachments: [CO 07-162-2S.pdf](#)

Approved

- 46 [11-1297](#) Authority to increase Contract 08-171-3P Westside Imhoff Battery A and Skimming Tank Demolition, Stickney Water Reclamation Plant to Sollitt/Sachi/Alworth JV, in an amount of \$42,982.00, from an amount of \$32,939,924.00, to an amount not to exceed \$32,982,906.00, Account 401-50000-645650, Purchase Order 5001182
- Attachments:** [CO 08-171-3P.pdf](#)
- Approved**
- 47 [11-1298](#) Authority to increase Contract 91-177-CE Distributed Control System for Solids Processes at Stickney Water Reclamation Plant, Mainstream Pumping Station, and Other Remote Stations, Stickney Service Area, to Divane Brothers Electric Company, in an amount of \$45,067.00, from an amount of \$32,910,111.89, to an amount not to exceed \$32,955,178.89, Account 401-50000-645650, Purchase Order 5000978
- Attachments:** [CO 91-177-CE.pdf](#)
- Approved**
- 48 [11-1299](#) Authority to advertise Contract 09-365-5F, Heritage Park Flood Control Facility, estimated cost \$33,049,268.00, Account 501-50000-645620, Requisition 1331297
- Approved**
- 49 [11-1300](#) Authorization to enter into agreements with and for payment to Wetland Bank Research, Inc. in the amount of \$294,000.00 and Wetland Mitigation of Illinois, L.L.C. in the amount of \$158,400.00 for mitigation banking services in connection with Heritage Park Flood Control Facility, Contract 09-365-5F, Account 501-50000-645690
- Deleted by the Executive Director**
- 50 [11-1301](#) Report on change orders authorized and approved by the Director of Engineering during the month of September 2011
- Attachments:** [CO September 2011.pdf](#)
 [CO Status.pdf](#)
- Published and Filed**
- 51 [11-1303](#) Report on advertisement of Request for Proposal 12-RFP-04 Human Resources Information System including Payroll and Time Management, estimated cost \$800,000.00, Account 101-27000-601170
- Deleted by the Executive Director**
- 52 [11-1312](#) MEMORIAL RESOLUTION sponsored by the Board of Commissioners extending sympathy and condolences to the family of George Timothy Evans
- Adopted**

- 53 [11-1314](#) Authority to extend agricultural leases of District lands in Fulton County for agricultural purposes pursuant to 07-RFP-27, Farm Management Support Services

 Approved

Approval of the Consent Agenda with the exception of Items: 10, 12, 14, 43, 49, 51, and 54

A motion was made by Cynthia M. Santos, seconded by Patricia Horton, to Approve the Consent Agenda. The motion carried by the following roll call vote:

Aye: 9 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

- 54 [11-1316](#) Authorization to retain Allison Fore for public relations services for the period October 21, 2011 through December 31, 2012, in an amount not to exceed \$130,500.00, Account 101-15000-601170, Requisition 1330882

 Deleted by the Executive Director

Meeting Summary

Speakers

Jeff Yourell accepted the resolution extending sympathy and condolences to the family of Commissioner Harry "Bus" Yourell. (Re: Miscellaneous and New Business Item #43)

George Blakemore, concerned citizen, voiced concerns regarding speaker requests.

Summary of Requests

Ron Hill

Debra Shore requested a report on the usage of the on-site service. (Re: Procurement Item #12)

Manju Sharma

Frank Avila requested a list of alternative products that have been considered for use. (Re: Procurement Item #25).

Ken Kits

Mariyana T. Spyropoulos requested the name of the consultant (Re: Procurement Item #48)

David St. Pierre

Frank Avila inquired about safety precautions for the electric barriers.

Study Session

None

Announcements

None

Board Letter Submission Dates

The next regular board meeting is scheduled for November 3, 2011, please prepare and submit Board items before the following absolute cutoff dates.

Date agenda items are due to the Director of Procurement and Materials Management for signature and preparation: October 21, 2011

Date Board letters are due to the Executive Director: 1:00 p.m., October 26, 2011

Adjournment

A motion was made by Debra Shore, seconded by Patricia Horton, that when the Board adjourns it adjourns to meet on Thursday, November 3, 2011, at 10:00 a.m. and that today's meeting be adjourned. The motion carried by the following roll call vote:

/s/ Jacqueline Torres, Clerk

Aye: 9 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

APPROVAL:

In accordance with the provisions of 70ILCS 2605/4, each of the foregoing agenda items duly adopted by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago this October 20, 2011, are hereby approved.

APPROVED:

/s/ Terrence J. O'Brien

President Board of Commissioners of the
Metropolitan Water Reclamation District of Greater Chicago

October 20, 2011